

So Ordered.
Dated: May 6th, 2019



Frank L. Kurtz
Frank L. Kurtz
Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

IN RE:
ASTRIA HEALTH,

Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01189-11

IN RE:
GLACIER CANYON, LLC,

Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01193-11

IN RE:
KITCHEN AND BATH
FURNISHINGS, LLC,

Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01194-11

IN RE:
OXBOW SUMMIT, LLC,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01195-11

IN RE:
SHC HOLDCO, LLC,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01196-11

IN RE:
SHC MEDICAL CENTER -
TOPPENISH,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01190-11

IN RE:
SHC MEDICAL CENTER -
YAKIMA,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01192-11

IN RE:
SUNNYSIDE COMMUNITY
HOSPITAL ASSOCIATION,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01191-11

IN RE:
SUNNYSIDE COMMUNITY
HOSPITAL HOME MEDICAL
SUPPLY, LLC,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01197-11

IN RE:
SUNNYSIDE HOME HEALTH d/b/a
ASTRIA HOME HEALTH,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01198-11

IN RE:
SUNNYSIDE PROFESSIONAL
SERVICES, LLC,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01199-11

IN RE:
YAKIMA HOME CARE
HOLDINGS, LLC,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01201-11

IN RE:
YAKIMA HMA HOME HEALTH,
LLC,
Debtor and Debtor In
Possession.

Chapter 11
Case No. 19-01200-11
**ORDER (A) DIRECTING THE JOINT
ADMINISTRATION OF THESE
CASES, INCLUDING THE USE OF
CONSOLIDATED LISTS, AND (B)
LIMITING SCOPE OF NOTICE**

Upon the motion, dated May 6, 2019, of Astria Health, Glacier Canyon,
LLC, Kitchen and Bath Furnishings, LLC, SHC Holdco, LLC, SHC Medical Center

1 – Toppenish, SHC Medical Center – Yakima, Sunnyside Community Hospital
2 Association, Sunnyside Community Hospital Home Medical Supply, LLC,
3 Sunnyside Home Health d/b/a Astria Home Health, Sunnyside Professional
4 Services, LLC, Yakima Home Care Holdings, LLC, Yakima HMA Home Health,
5 LLC, and Oxbow Summit, LLC, the above-captioned affiliated debtors and debtors
6 in possession (collectively, the “Debtors”), pursuant to Rules 1015(b), 2002, and
7 9007 of the Federal Rules of Bankruptcy Procedure and Rules 1015-1(b) and 2002-
8 1 of the Local Rules of the United States Bankruptcy Court for the Eastern District
9 of Washington, for an order (a) authorizing the joint administration of these Cases
10 for procedural purposes only, including the use of consolidated lists, and that the
11 Court maintain one file and one docket for all of the Cases under the lead case: *In*
12 *re Astria Health*; and (b) approving a Limited Mailing List and a limited notice
13 procedure (the “Motion”), all as more fully set out in the Motion; and upon
14 consideration of the Declaration of John Gallagher in support of the Motion; it
15 further appearing that the Court has jurisdiction over this matter; and it further
16 appearing that notice of the Motion as set forth therein is sufficient under the
17 circumstances, and that no other or further notice need be provided; and it further
18 appearing that the relief requested in the Motion is in the best interests of the
19 Debtors, their estates and their creditors; and after due deliberation and sufficient
20 cause appearing therefor, it is hereby
21

1 ORDERED that the Motion is granted; and it is further

2 ORDERED that the above-captioned chapter 11 cases be, and hereby are,
3 consolidated for procedural purposes only and shall be jointly administered by the
4 Court under Case No. 19-01189-11, which joint administration shall include the
5 following:

- 6 (a) use of a single pleadings docket for administrative matters under the
7 lead case: *In re Astria Health*; and the filing, lodging and docketing of
8 pleadings and orders, where appropriate;
- 9 (b) use of a consolidated mailing matrix (or matrixes), and the combining
10 of notices to creditors and other parties-in-interest, where appropriate;
- 11 (c) combined scheduling of hearings, where appropriate;
- 12 (d) consolidated billing by professionals employed by the estates, subject
13 to review and apportionment of billing should the need arise;
- 14 (e) joint and several liability of the Debtors' estates for general
15 administrative expenses that equally benefit all the estates; and
- 16 (f) joint handling of other administrative matters that may aid in the
17 expeditious and economical administration of the Debtors' estates; and
18 it is further

1 ORDERED that nothing contained in this Order or the Motion shall be
2 deemed or construed as directing or otherwise effecting a substantive consolidation
3 of the above-captioned cases; and it is further

4 ORDERED that pleadings in these chapter 11 cases shall be required to bear
5 a caption substantially in the form of the caption attached hereto as **Exhibit A**; and
6 it is further

7 ORDERED that a docket entry shall be made in each of the above-captioned
8 cases substantially as follows:

9 An Order has been entered in this case directing the
10 procedural consolidation and joint administration of the
11 chapter 11 cases of Astria Health (Case No. 19-01189-
12 11), Glacier Canyon, LLC (Case No. 19-01193-11),
13 Kitchen and Bath Furnishings, LLC (Case No. 19-01194-
14 11), Oxbow Summit, LLC (Case No. 19-01195-11), SHC
15 Holdco, LLC (Case No. 19-01196-11), SHC Medical
16 Center – Toppenish (Case No. 19-01190-11), SHC
17 Medical Center – Yakima (Case No. 19-01192-11),
Sunnyside Community Hospital Association (Case No.
19-01191-11), Sunnyside Community Hospital Home
Medical Supply, LLC (Case No. 19-01197-11),
Sunnyside Home Health (Case No. 19-01198-11),
Sunnyside Professional Services, LLC (Case No. 19-
01199-11), Yakima Home Care Holdings, LLC (Case No.
19-01201-11), and Yakima HMA Home Health, LLC
(Case No. 19-01200-11).

18 Consult the Docket in Case No. 19-01189-11 for all
19 matters affecting these cases.

20 and it is further
21

1 ORDERED that the following matters (the “Limited Notice Matters”) shall
2 be served on a limited service list:

- 3 • any proposed use, sale, or lease of property of the estate pursuant to § 363
4 and Bankruptcy Rules 2002(a)(2), 4001(b), and 6004;
- 5 • any proposed debtor in possession financing or use of cash collateral;
- 6 • any proposed extension of the Debtors’ exclusive time to file a plan of
7 reorganization and solicit acceptance thereof (including, without
8 limitation, the time to file a disclosure statement) pursuant to § 1121 and
9 Bankruptcy Rule 3016;
- 10 • any proposed approval of a compromise or settlement of a controversy
11 pursuant to Bankruptcy Rules 2002(a)(3) and 9019 and/or § 363;
- 12 • any proposed abandonment or disposition of property of the estate
13 pursuant to § 554 and Bankruptcy Rules 6007(a) or (c);
- 14 • any proposed assumption, assumption and assignment or rejection of
15 contracts or leases pursuant to § 365 and Bankruptcy Rule 6006(a) or (c);
- 16 • any proposal to prohibit or condition the use, sale or lease of property
17 pursuant to § 363 or Bankruptcy Rule 4001(a);
- 18 • any proposed objections to claims pursuant to § 502 or Bankruptcy Rules
19 3002, 3003 or 3007;
- 20 • any verified statement filed by any entity or committee (other than those
21 appointed pursuant to §§ 1102 or 1104) representing more than one
creditor pursuant to Bankruptcy Rule 2019(a) and any motion filed in
respect thereof pursuant to Bankruptcy Rule 2019(b);
- any proposed application for employment of professionals pursuant to
§§ 327, 1103 or 1104 or Bankruptcy Rule 2014;
- any proposed application for compensation or reimbursement of expenses
of professionals, pursuant to §§ 328, 329, 330, or 331 and Bankruptcy
Rules 2002(a)(6), 2016, 2017, and 6005; except as provided by other
orders of this Court;

- a hearing on any other contested matter in this Case that requires notice to all creditors or equity holders pursuant to the Bankruptcy Code, Bankruptcy Rule 9014, or the LBR; and
- all other pleadings, papers, and requests for relief or other order of the Court, except as limited below; and it is further

ORDERED that the Limited Notice Matters include all the “first day” motions filed on or around the Petition Date; and it is further

ORDERED that with respect to the Limited Notice Matters, such matters shall be heard on regular notice served by first-class mail upon only: (a) the Office of the United States Trustee, (b) the creditors appearing on the list filed in accordance with Bankruptcy Rule 1007(d) by the Debtors unless and until a Committee is appointed and it retains counsel, then in such event, to counsel for the Committee, (c) the United States of America, by service to the Attorney General of the United States and the United States Attorney for the Eastern District of Washington, and any department or agency of the United States of America that is affected by the Limited Notice Matter until counsel for the United States makes an appearance on behalf of that department or agency, and, thereafter on that counsel, (d) the State of Washington, by service to the Attorney General of Washington, and any department or agency of the State that is affected by the Limited Notice Matter until counsel for the State makes an appearance on behalf of that department or agency, and thereafter on that counsel, (e) parties that file with the Court and serve upon the Debtors requests for notice of all matters in accordance with Bankruptcy

1 Rule 2002(i) and who expressly request hard copy service (and absent such request,
2 will receive service electronically, consistent with LBR 2002-1(b)(3)), (f) all
3 secured lenders and lenders providing debtor in possession financing, and (g) any
4 party with a pecuniary interest in the subject matter of the particular Limited Notice
5 Matter or its counsel (collectively, the “Limited Mailing List”); and it is further

6 ORDERED that, notwithstanding the foregoing, the relief granted herein
7 does not affect the rights of all creditors to receive notice of the following matters
8 or proceedings: (i) the date fixed for filing proofs of claim; (ii) the time fixed for
9 filing objections to any disclosure statement and any hearing to consider approval
10 of any disclosure statement; (iii) the time fixed for accepting, rejecting, or objecting
11 to confirmation of a plan or any modification thereof and the hearing thereon;
12 (iv) the entry of an order confirming a plan; and (v) a hearing regarding the
13 dismissal or conversion of this Case (the “Complete Notice Matters”); and it is
14 further

15 ORDERED that this Court shall, and hereby does, retain jurisdiction with
16 respect to all matters arising from or related to the implementation and
17 interpretation of this Order.

18 ///End of Order///

1 PRESENTED BY:

2 /s/ James L. Day

JAMES L. DAY (WSBA #20474)

3 BUSH KORNFELD LLP

4 SAMUEL R. MAIZEL (*Pro Hac Vice* pending)

SAM J. ALBERTS (WSBA #22255)

5 DENTONS US LLP

6 *Proposed Attorneys for the Chapter 11*

7 *Debtors and Debtors In Possession*

Exhibit A

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re

ASTRIA HEALTH, *et al.*,¹

Debtor and Debtor
In Possession.

Chapter 11

Lead Case No.19-01189-11

Jointly Administered

¹ The Debtors, along with their case numbers, are as follows: Astria Health (19-01189-11), Glacier Canyon, LLC (19-01193-11), Kitchen and Bath Furnishings, LLC (19-01194-11), Oxbow Summit, LLC (19-01195-11), SHS Holdco, LLC (19-01196-11), SHC Medical Center - Toppenish (19-01190-11), SHC Medical Center - Yakima (19-01192-11), Sunnyside Community Hospital Association (19-01191-11), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197-11), Sunnyside Home Health (19-01198-11), Sunnyside Professional Services, LLC (19-01199-11), Yakima Home Care Holdings, LLC (19-01201-11), and Yakima HMA Home Health, LLC (19-01200-11).